

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEMPEN INTERNATIONAL FUNDS
(KEMPEN INTERNATIONAL FUNDS –
MERCLIN GLOBAL EQUITY), et al.,

Plaintiff(s),

-against-

SYNEOS HEALTH, INC., et al.,

Defendant(s).

23-cv-8848 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On July 27, 2023, a complaint was filed against Defendants for violations of securities laws. *See* Dkt. 1, 23-cv-6548. As the Court was finalizing the appointment of lead plaintiff, the complainant in that case voluntarily dismissed its complaint. Dkt. 39, 23-cv-6548. The Court then filed the opinion and order appointing Kempen International Funds and MercLin Institutional Fund (“the Institutional Investors”) as lead plaintiff. Dkt. 42, 23-cv-6548. That order also approved the Institutional Investors’ request for lead counsel, appointing DiCello Levitt. *Id.*

Because the complaint was dismissed, however, this new action was filed. In sum and substance, it mirrors the original action. *Compare* Dkt. 1, 23-cv-6548, *with* Dkt. 1, 23-cv-8848. So, for the reasons given in the opinion in the previous action, the Institutional Investors’ renewed motion to be appointed as lead plaintiff is GRANTED, and their request to appoint DiCello Levitt as lead counsel is also GRANTED. Dkt. 9. Also for the same reasons, Public Employees Retirement System of Mississippi’s motion to be appointed lead plaintiff is DENIED. Dkt. 14.

As noted in the previous order, the Institutional Investors must still designate a single lawyer to serve as lead trial counsel under this Court’s individual practices.

The Court also scheduled an initial pretrial conference in the prior action. Dkt. 40, 23-cv-6548. That conference will proceed as scheduled: **November 9, 2023, at 10:30 a.m.**, in Courtroom 15A of the Moynihan Courthouse. The parties should still comply with the rest of that order as well, namely, the letter required the week before the conference.

Finally, the Court also directed the Institutional Investors to confer with Defendants and submit a letter to the Court. Dkt. 41, 23-cv-6548. Seeing as a new action has been filed, the parties no longer need to address that part of the order. They should, however, still submit a letter by **October 16, 2023, at 5:00 p.m.**, addressing the deadline for any answer or motion to dismiss and the briefing schedule for any motion to dismiss.

A separate order will follow to close the prior action.

The Clerk of Court is directed close ECF 9 and 14.

SO ORDERED.

Dated: October 12, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge